REMARKS

Claims 14-25, 33-35, 40-45, 52 and 53 are allowed.

As of this amendment, claims 39 and 47 are cancelled.

As of this amendment, claims 29, 36-38, 46, and 48-51 are amended. There is no new subject matter. It is believed that the amendments place the application in condition for allowance, and that the amendments do not require substantial additional consideration and/or search.

Claims 14-25, 29-38, 40-46, and 48-59 remain pending. Reconsideration and allowance of the pending claims is respectfully requested in light of the amendments and the following remarks.

Claim Rejections – 35 USC § 103

Claims 29-32, 36-37, 46-47, 49-50, 54-56 and 58-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prioir Art (APA) in view of Nagamine (U.S. Patent No. 5,534,724) and Bothra et al., (U.S. Patent No. 6,020,616). The applicants disagree.

Claim 29 is amended. The amendments are fully supported by the original disclosure at, e.g., FIGS. 11 and 12. Features of claim 29 include a plurality of transistor gates, each transistor gate having at least one transistor gate extension. Similarly, claim 29 recites a plurality of dummy gates, each dummy gate having at least one dummy gate extension. Thus, there are at least two transistor gate extensions and at least two dummy gate extensions.

Furthermore, amended claim 29 recites that each of the transistor gate extensions and each of the dummy gate extensions are elements of a group, that each element of the group is parallel to at least two other elements of the group, and that all elements of the group are uniformly spaced across a width of the substrate.

AAPA FIGS. 5-10 do not teach or suggest a plurality of dummy gates. Nagamine FIG. 3 does not teach or suggest that each of the alleged transistor gate extensions 10 and each of the alleged dummy gate extensions 20 are elements of a group, where all elements of the group are uniformly spaced across a width of the substrate. Bothra FIG. 3L does not teach or suggest that each of the alleged transistor gate extensions 204 and each of the alleged dummy gate extensions 226 are elements of a group, where all elements of the group are uniformly spaced across a width of the substrate.

Consequently, the AAPA/Nagamine/Bothra combination does not establish *prima facie* obviousness because it does not teach or suggest all the features of claim 29 (MPEP 2143.03).

Claims 30-32 depend from claim 29. Any claim that depends from a nonobvious independent claim is also nonobvious (MPEP 2143.03).

Claim 36 is amended. The amendments are fully supported by the original disclosure at, e.g., FIGS. 11 and 12. Features of claim 36 include a plurality of gates, each gate having at least one gate extension, and a plurality of dummy gates, each dummy gate having at least one dummy gate extension. Thus, there are at least two gate extensions and at least two dummy gate extensions.

Furthermore, amended claim 36 recites that each of the gate extensions and each of the dummy gate extensions are elements of a group, where each element of the group is located on one of a plurality of parallel lines and all elements of the group are spaced uniformly across a width of the substrate.

AAPA FIGS. 5-10 do not teach or suggest a plurality of dummy gates. Nagamine FIG. 3 does not teach or suggest that each of the alleged transistor gate extensions 10 and each of the alleged dummy gate extensions 20 are elements of a group, where all elements of the group are uniformly spaced across a width of the substrate. Bothra FIG. 3L does not teach or suggest that each of the alleged transistor gate extensions 204 and each of the alleged dummy gate extensions 226 are elements of a group, where all elements of the group are uniformly spaced across a width of the substrate.

Consequently, the AAPA/Nagamine/Bothra combination does not establish *prima facie* obviousness because it does not teach or suggest all the features of claim 36 (MPEP 2143.03).

Claims 37-38 depend from claim 36, and are amended to be consistent with claim 36. Any claim that depends from a nonobvious independent claim is also nonobvious (MPEP 2143.03). Claim 39 is cancelled.

Claim 46 is amended. The amendments are fully supported by the original disclosure at, e.g., FIGS. 11 and 12. Features of claim 46 include a plurality of gates, each gate having at least one gate extension, and a plurality of dummy gates, each dummy gate having at least one dummy gate extension. Thus, there are at least two gate extensions and at least two dummy gate extensions.

Furthermore, amended claim 46 recites that each of the gate extensions and each of the dummy gate extensions are elements of a group, where all elements of the group are

oriented in the same direction and all elements of the group are uniformly spaced across a width of the substrate.

AAPA FIGS. 5-10 do not teach or suggest a plurality of dummy gates. Nagamine FIG. 3 does not teach or suggest that each of the alleged transistor gate extensions 10 and each of the alleged dummy gate extensions 20 are elements of a group, where all elements of the group are uniformly spaced across a width of the substrate. Bothra FIG. 3L does not teach or suggest that each of the alleged transistor gate extensions 204 and each of the alleged dummy gate extensions 226 are elements of a group, where all elements of the group are uniformly spaced across a width of the substrate.

Consequently, the AAPA/Nagamine/Bothra combination does not establish *prima facie* obviousness for claim 46 because it does not teach or suggest all the features of claim 46 (MPEP 2143.03).

Claims 48-51 depend from claim 46, and are amended to be consistent with claim 46. Any claim that depends from a nonobvious independent claim is also nonobvious (MPEP 2143.03). Claim 47 is cancelled.

With regard to independent claim 54, nowhere are features of the claim specifically addressed in the final Office Action mailed on 15 January 2004. Nevertheless, it seems that the Examiner has rejected claim 54 based only upon the combination of AAPA, Nagamine, and Bothra (see section 2, first paragraph).

Claim 54 recites, *inter alia*, first dummy gates on said isolation portion aligned with said first transistor gates such that a portion of a first dummy gate extending in a first direction and a portion of a corresponding first transistor gate extending in the first direction share a common central axis.

To the contrary, APA does not teach or suggest dummy gates. Nagamine does not teach or suggest that a portion of a first dummy gate extending in a first direction and a portion of a corresponding first transistor gate extending in the first direction share a common central axis. Bothra does not teach or suggest that a portion of a first dummy gate extending in a first direction and a portion of a corresponding first transistor gate extending in the first direction share a common central axis.

Consequently, the AAPA/Nagamine/Bothra combination does not establish *prima facie* obviousness for claim 54 because it does not teach or suggest all the features of claim 54 (MPEP 2143.03).

Claims 55, 56, 58, and 59 depend from claim 54. Any claim that depends from a nonobvious independent claim is also nonobvious (MPEP 2143.03).

Claims 48, 51, and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA), Nagamine and Bothra et al., as applied to claims 46 and 54 above, and further in view of U.S. Patent No. 6,174,741 to Hansch et al. ("Hansch"). The applicants disagree.

Claims 48 and 51 depend from independent claim 46. Claim 57 depends from independent claim 54. As explained above, independent claims 46 and 54 are patentable over the AAPA/Nagamine/Bothra combination. Hansch is not alleged to teach or suggest the features of claims 46 and 54 that the AAPA/Nagamine/Bothra combination fails to teach, nor does it teach or suggest those features. Consequently, claims 48, 51, and 57 are nonobvious over the AAPA/Nagamine/Bothra/Hansch combination because any claim that depends from a nonobvious independent claim is also nonobvious (MPEP 2143.03).

Claims 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA), Nagamine and Bothra et al., as applied to claims 36 and 37 above, and further in view of U.S. Patent No. 5,748,835 to Neugebauer ("Neugebauer"). The applicants disagree.

Claim 39 is cancelled.

Claim 38 depends from independent claim 36. As explained above, independent claim 36 is patentable over the AAPA/Nagamine/Bothra combination. Neugebauer is not alleged to teach or suggest the features of claim 36 that the AAPA/Nagamine/Bothra combination fails to teach, nor does it teach or suggest those features. Consequently, claims 48, 51, and 57 are nonobvious over the AAPA/Nagamine/Bothra/Neugebauer combination because any claim that depends from a nonobvious independent claim is also nonobvious (MPEP 2143.03).

Allowable Subject Matter

Claims 14-25, 33-35, 40-45, and 52-53 are allowed.

Conclusion

For the foregoing reasons, reconsideration and allowance of claims 14-25, 29-38, 40-46, and 48-59 of the application as amended is solicited. The Examiner is encouraged to

telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,

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